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SUBJECT: ENGAGING PARLIAMENT ON CSO LAW

REF: A. ADDIS 3100 (AND PREVIOUS)
[1](#)B. ADDIS 2482

SUMMARY

[1](#)1. (SBU) With the draft Charities and Societies Proclamation (CSO Law) submitted to Parliament on December 2, Ambassador and Pol/Econ Chief met with the Speaker of Parliament and Chairmen and representatives from the Standing Committees on Foreign Affairs, Legal Affairs, and Social Affairs on December 15 to press for amendments to the restrictive law by the legislature. Parliament will hold public hearings on the bill on December 24 and 25 before considering amendments and passing the bill into law before the end of the Ethiopian month (January 7). Speaker of Parliament Teshome Toga asserted that "there is no doubt that the law will pass because there is already consensus within the ruling party."

STRATEGICALLY PLANNED PUBLIC DIALOGUE

[1](#)2. (SBU) Claiming to want what the Speaker called a "robust public dialogue," Parliament has scheduled an "unprecedented" two days of public hearings before the joint standing committees on December 24 and 25. Without identifying the parties invited to attend, Foreign Affairs Standing Committee Chair Ambassador Mohammed Ali noted that university and teachers' groups had been invited as well as experts from the Ministries of Justice and Foreign Affairs and the Prime Minister's Office. When asked whether the timing of the hearings may undercut a "robust" public hearing due to the likelihood that senior civil society organizations' officials will be away on holiday or school vacation, Speaker Teshome noted that "the hearing is for Ethiopians and will be in Amharic." As Ethiopians are largely Orthodox Christians who celebrate Christmas on January 7, Teshome argued that the dates should not be problematic.

[1](#)3. (SBU) Despite previous discussions between USAID, other donors, and Parliament to provide technical assistance on public consultations and hearings via technical support, Speaker Teshome quickly refused technical assistance provided through Women's Campaign International (WCI) for these hearings. Teshome argued "no, we do not want assistance for this bill; we look to WCI for more general capacity building."

EXPECT A LAW SOON

[1](#)4. (SBU) Following the December 24 and 25 public hearings, the three Standing Committees will convene to discuss the bill and propose any amendments. These will then be

presented to the full parliament where any member can introduce his/her own amendments. Ambassador presented the Speaker and committee members a technical analysis of the bill highlighting potential areas which may spur unintended consequences for foreign assistance and which offered minor changes that would make the bill less objectionable without violating the main tenets driving the bill. The Speaker replied that he did not expect major amendments noting that "there is no doubt that the law will pass because there is already consensus within the EPRDF." Several committee members, however, actually snickered when accepting the document, suggesting that the very notion of parliament amending the bill was unrealistic.

¶5. (SBU) The Ambassador's warning that as the new U.S. Administration' transition team begins devising its foreign policy, the passage of a restrictive law may not cast Ethiopia in the best light and could prompt unintended consequences. The Speaker replied by noting that the law was "not the constitution, so it can be amended later based on consequences of implementation."

COMMENT

¶6. (SBU) Despite final efforts to engage Parliament to revise some of the more egregious elements of a highly restrictive law, the Speaker and Committee members' reactions and responses demonstrated that the legislature has no intention of seriously considering the CSO Law. These reactions were also consistent with reports from contacts close to the

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ruling party that the ruling party has recently convened its parliamentarians to indoctrinate them on the party's version of reality in which civil society groups are "neo-liberal rent seekers" doing the bidding of the west to undermine the ruling party's democratic and development agenda. As was done in the case of civil society detainees in 2007 and a contentious press freedom case also scheduled for December 24 this year, the timing of the December 24 and 25 public hearings appears to be a blatant attempt to minimize international attention and scrutiny by timing open debate of a contentious issue to coincide with western holidays when foreign observers are expected to be minimal. As it is clear that Parliament intends to pass the CSO Law in the opening days of 2009, Embassy Addis Ababa again encourages Washington to prepare to issue a public statement as proposed in Ref. B in response to its passage. The Ambassador discussed the meetings with the EU ambassadors, particularly the UK Ambassador, since the UK, French and U.S. Ambassadors spoke privately with the Prime Minister on changes necessary. Our EU colleagues were not pleased with the energy expended with trying to make changes and having a bill which in essence reverts back to the original bill and makes the penalties for administrative lapses very severe. This will force NGOs to re-evaluate whether they will stay in Ethiopia or move operations off-shore. End Comment.
YAMAMOTO